

THE METALS.

Silver, 45c. per ounce.
Copper, 11 1/2c. per pound; New York,
11 1/2c. per 100 pounds.
Lead, 85.50 per 100 pounds.

ESTABLISHED JUNE 6, 1870.

THE SALT LAKE HERALD.

SALT LAKE CITY, UTAH, TUESDAY, JANUARY 13, 1903.

WEATHER TODAY.
FORECAST FOR SALT LAKE.
Fair.

PRICE FIVE CENTS.

UTAH LEGISLATURE MEETS AND PERFECTS AN ORGANIZATION

Fifth General Assembly, After Installing its Officers, Adjourns Until this Afternoon, When Governor's Message Will Be Read in Joint Session.

**Little Business Expected to Be Transacted Until After the Naming of Committees by the President of the Senate and the Speaker of the House—
In Session Only About an Hour and a Half.**

UTAH'S fifth general assembly organized itself into being yesterday. Both branches of the legislature underwent the formalities required by the constitution as the preliminary of making laws. After perfecting their respective organizations and accepting the Rocky Mountain Bell Telephone company's offer of free phones and free toll service, the two houses adjourned until 1:30 p. m. today, after being in session about an hour and a half. At that hour each house will meet in its own hall, transact a small amount of routine business, and then gather in joint session in representatives' hall to hear Governor Wells' message.

The proceedings in the two houses were of a similar character, although debate over the propriety of accepting telephone privileges from a corporation showed a division of sentiment, and resulted in a rollcall in the senate. The house accepted the telephone proffer without a dissenting voice, none of its members being agitated by the samples which made the senators hesitate.

Secretary of State Hammond convened the lower house, while Noble Warrum, chief clerk of the last senate, acted on behalf of the state secretary in calling the upper house to order. Chief Justice Baskin administered the oath of office to the new senators and their officers, while Justice Barish performed the same for the house. Edward M. Allison, jr., and Thomas Hull, respectively the Republican caucus nominees for president of the senate and speaker of the house, were elected and installed. J. R. Murdoch and D. H. Morris, named by the Democrats for the two offices, were given the complimentary vote of their party's adherents.

Each branch of the legislature formally advised the other that it was in existence and ready for business, and then both joined through a committee to inform the governor that the legislature was ready to hear from him. Each house adopted a resolution declaring last session's rules in effect pending new rules, and each presiding officer appointed a committee to draft the new rules.

Few spectators were present to see the new legislature make its first bow. There were no flowers. Flags adorned the two halls, which fairly glistened as the result of the cleansing and polishing processes they had undergone to remove all traces of the last legislature.

The senate convened in the sumptuously appointed city council chamber on the second floor of the city and county building. The twelve aldermanic desks were supplemented by six smaller writing tables so that each of the eighteen senators might be accommodated. The forty-five representatives were assembled in their hall on the third floor, a room little if any larger than the council chamber. As a result, the members of the lower house were closely crammed together behind their desks. None of them had leathern chairs except Speaker Hull, as did each of the eighteen senators. But they boasted they could do more interesting things in five minutes in their homelier surroundings than the upper house on the lower floor could do in an hour.

No bills were introduced in either house, although several legislators had copies in their inside pockets ready to be referred at the opportune moment. Few if any bills will be presented until after the committees are appointed. The committees will not be named by the respective presiding officers until after the two committees on rules make a report indicating what committees are needed and how many members should be appointed on each. Completion of that report and the actual making of the appointments will occupy several days.

The six Democrats in the senate and the five Democrats in the house have been asked to signify their preferences for committee appointments, and will get places at the tail ends of each of the committees.

TELEPHONE AND DESKS TAKE UP SENATORS' TIME

Two Vexed Questions That Worried the Solons Upon Their Assembling Yesterday.

OFFICERS ASSUME THEIR DUTIES AND ADJOURNMENT IS TAKEN.

Debate over the occupancy of desks and how to obtain free toll service without obligating the senators to the telephone company, enlivened the first session of the state senate yesterday afternoon. After the formalities of organization had been observed and the lower house and the state's executive notified that the senate was in existence, the solons were called briefly over the two first problems that presented themselves. Then they adjourned until tomorrow afternoon, when the two houses will meet in joint session to receive the governor's message.

It was the reading of a letter from the Rocky Mountain Bell Telephone company which started the telephone agitation. The communication was addressed to the senate and proffered the usual courtesy of a free telephone adjacent to the senate chamber and free use of the toll service to all parts of the state for members and officers of the senate.

Senator William N. Williams rose, caught the eye of President Allison, and moved that the offer be accepted with thanks. It took only a second for Senator Williams to rise to his feet with a horrified expression.

The senator's motion has received no second," asserted the vice president hurriedly. "I move that the letter be laid on the table."

Senator Williams turned with a puzzled expression toward his colleague, who occupied the seat next his own.

"I second Senator Bamberger's motion," said the letter be laid on the table," snapped Senator Hoyt Sherman, whereupon Senator Williams' puzzled expression was turned in the opposite direction.

Senator Williams' motion not having been seconded," announced President Allison, "the chair will put Senator Bamberger's motion that the letter be tabled."

Wanted the Telephone.

A viva voce vote was taken, with the result that the telephone company's letter was placed among the archives.

The senate was uneasy, however. Would the telephone company become offended and refuse the free toll service? asked the country members, while those who wished to avoid the appearance of having accepted a favor from a big corporation put on their most virtuous expressions and stared severely at the contending senators.

Nothing happened for the space of several silent seconds. Then Senator Henry Gardner of Spanish Fork spoke up and finally rose. The conference of free telephone service between Salt Lake City and the neighborhood of Spanish Fork was too great to be thrown away.

"I move," said he, "that we take from the table the letter of the Rocky Mountain Bell Telephone company, accept their courtesy and extend them our thanks for same."

Senator Barber seconded the motion. President Allison repeated the proposition, couching it in a legal phraseology which sounded formidable to the mover. Victims of formal delivery of the senate into the hands of the corporation fitted through the mind of the Spanish Fork member.

"Did I say all that?" he asked.

"I believe I repeated the motion correctly," said President Allison, and he

turned it out again, using a slightly different but equally ponderous phraseology.

Got the Telephone.

"I didn't know I said accept," ventured Senator Gardner. "I merely wanted to thank the company for the offer."

"But doesn't the member want the use of the telephone?" demanded President Allison.

"Yes, yes," responded Senator Gardner precipitately.

"Then what other word than 'accept' does the senator prefer?" queried the presiding officer, and receiving no response, he put the question.

"The chair is in doubt," he declared, after a few faint "ayes" and "noes" greeted his call. "We will take a rising vote."

Following is the result:

Yeas—Senators H. S. Larsen, Barber, Barnes, McKay, Murdoch, Williams, Gardner, Loe, C. P. Larsen, Willis Johnson, Bennion—11.

Nays—Senators Sherman, Love, Lawrence, Bamberger, Whitmore, Lewis—5.

One vote of the necessary two-thirds majority required under parliamentary procedure was lacking, but President Allison declared the motion carried and the solons were given the chairs of honor in the center of the hall directly in front of the president's stand.

It was high noon when Noble Warrum, secretary of the last senate, called the roll of senators from the list furnished him by Secretary of State Hammond, and new members responded, showing the entire eighteen were in attendance.

Supreme Justice Robert N. Baskin was present and administered the oath of office to the new members.

"The next business is the selection of a presiding officer," announced Clerk Warrum.

Senator Love placed Senator E. M. Allison of Weber county in nomination, voicing the will of the republican caucus. Senator Barnes similarly represented the Democratic caucus in placing Senator Joseph Murdoch of Wasatch county before the assembly.

Neither made any nominating speech. Clerk Warrum called the roll.

"I desire to be excused from voting," said Senator Allison, when his name was reached early on the list.

"Allison," said Senator Murdoch when his name was called.

Senator Allison rose to his feet before the roll call became a matter of record.

Allison Votes For Murdoch.

"In view of the courtesy extended by my opponent in voting for me, I desire to be placed on record as having voted for Senator Murdoch," he said.

The roll showed twelve votes for Allison and six for Murdoch, as had been expected, there being that number of Republicans and Democrats respectively.

A committee consisting of Senators Love and Barnes escorted President-elect Allison to the chair.

"Senators, your duty as president," exclaimed Senator Love, and Democrats as well as Republicans applauded.

Natally attired in a business suit, President Allison looked as merry and undisturbed in assuming the honor to which he had been chosen as if he were merely rising to inquire an unimportant case in court. He spoke in his usual rapid, fluent manner.

"I am deeply sensible of the honor of being called upon to preside over the deliberations of this body," said he, "and I shall endeavor to merit the confidence you have imposed in me. In discharging the important duties of this office I shall need, and I request, the earnest assistance and co-operation of each member of the senate. We have met, not to serve ourselves,

OLD FAMILIAR FACES ARE SEEN IN THE HOUSE

Interesting Body of Legislators Who Will Make Laws—But One Woman Member.

SECRETARY OF STATE HAMMOND CALLS SESSION TO ORDER.

Members of the house began stringing into the cloak room and the chamber some time before the noon hour. Some of the old familiar faces of the last house were to be seen, but the oldtimers were few and far between. There was W. H. Barrett, of Frisco, Beaver county, who was second man in the Republican caucus vote for speaker of the house. Mr. Barrett is a man with a handsome face and a finger carefully wrapped up with a bandage. He caught the finger under a machinery belt the other day and damaged it painfully, but not seriously. Neither this nor his defeat for speaker of the house, Mr. Barrett's good humor, however.

"Uncle Archie" McFarland of Weber, patriarch of the last house, circulated among the members. He caught the finger under a machinery belt the other day and damaged it painfully, but not seriously. Neither this nor his defeat for speaker of the house, Mr. Barrett's good humor, however.

Both sides of the right in Colorado, it is asserted, have repeatedly appealed to the president to say something which will straighten out the angle and smooth the way for the election of a Republican senator. But these appeals have had no effect, and the president has resolved to keep out of the controversy.

The Washington Evening Times, commenting on presidential interference, says:

"The general proposition is laid down that the president will take no part in state politics anywhere. An apparent exception of his birth on Aug. 14 next, where the election of a Mormon apostle to the United States senate is threatened. It was held in this case, however, that the matter was not strictly one of state interests, but one of national consequence. No further action will be taken in the

Sole Democratic Survivor.

There was one more of the old members—last and least in stature, but not least in any other way. This was David H. Morris, the wild pirate of Washington county, who came to Salt Lake in custody of Sheriff Bentley of Dixie. The sheriff was there to keep an eye on him, but it was useless. Representative Morris shook off all restraint, and was in the middle of the fray before the house had fairly begun to do business. He is the sole Democratic member of the last house to survive the carnage of Nov. 4 last, and as such because of his aggressive personality, etc., especially the etc.—he was selected as the Democratic candidate for speaker.

There are five Democrats in the house—count them—five—the Big Five. Later, when seats were selected, the Big Five placed themselves in a compact body just in front of the speaker. They constitute just one-ninth of the total membership in numbers, but when it comes to intellect, such a small fraction is totally inadequate.

Besides Mr. Morris, there is Bishop David Stoker of Bountiful, for example. There's a man with a merry little twinkle in his eye. He has been in the legislature before, and he knows the ropes. He will undoubtedly be of great influence in shaping legislation.

Others of the Big Five.

Robert McKinnon of Randolph had a strong enough personality to stem the Republican tide in Rich county, and President Willis E. Robison of the Wayne stake switched Wayne county from Republicanism to Democracy in spite of strong opposition. A man who can do things like this can make his influence felt on the floor of the legis-

SCENES OF OPENING OF THE UTAH LEGISLATURE.



HAS BURNED HIS FINGERS

President Will Not Interfere in Any More Senatorial Contests This Year and Has Dropped the Utah Matter.

(Special to The Herald.)

WASHINGTON, Jan. 12.—It is asserted that the president will not interfere in the senatorial situation arising in New York through defection of State Senators Brackett and Brown from the Republican organization. While the president has not been invited to take a hand, he has not volunteered to do so, and it is said would not do so under any circumstances.

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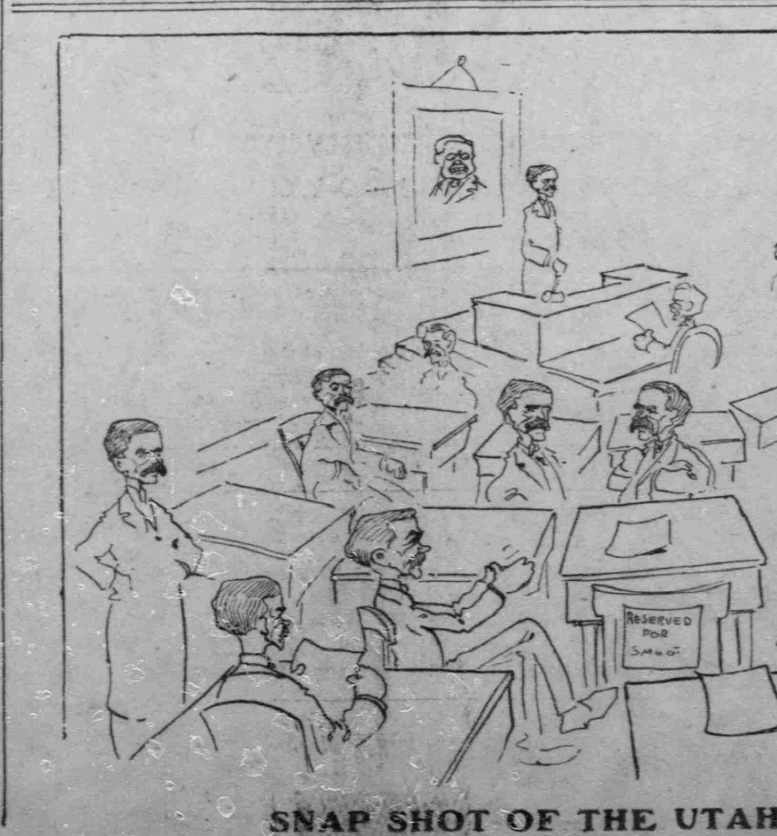
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GROWING WEAKER.

New York, Jan. 12.—At 10:30 tonight, the following bulletin was issued as to the condition of Abram S. Hewitt:

"Mr. Hewitt's condition remains practically unchanged, the great weakness being the dominant factor."



PROTEST OF W. C. T. U.

Women Wage War Upon the Candidacy of Apostle Smoot For Senator.

(Special to The Herald.)

EVANSTON, Ills., Jan. 12.—The following has been sent out to members of the Utah legislature:

"We, the National Woman's Christian Temperance union, representing 300,000 women, protest against the election of Apostle Smoot to the United States senate, not because he belongs to the Mormon church, but because he is the candidate of the church and under its control. The fact that he could not intend in any manner whatever to interfere with the free action of the Utah legislature in the matter."

Further than this Sutherland had nothing to say. Sutherland was appointed today as a member of the funeral committee to accompany the body of the late Representative Toole to Oregon, but on account of the press of business was obliged to remain here.

LIVED NEARLY A CENTURY.

New York, Jan. 12.—Robert J. Aiken, millionaire and philanthropist, who would have celebrated the 100th anniversary of his birth on Aug. 14 next, died of pneumonia tonight at his residence. Mr. Aiken was born at Quaker Hill, Dutchess county, and laid the foundations of his fortune in railroad investments in the early days of railroad construction in this state. He was prominently identified with the building of the Harlem railway, which was completed in 1848.

Sutherland Sees Roosevelt.

Washington, D. C., Jan. 12.—Representative Sutherland had an interview with the president this morning, the details of which he did not care to discuss. In answer to a question as to the president's attitude respecting the possible election of Apostle Smoot, he said:

"The president has expressed the opinion that under the circumstances the election of Apostle Smoot would be unwise. He has not intended and does not intend in any manner whatever to interfere with the free action of the Utah legislature in the matter."

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SMOOT MEN TO CALL A CAUCUS

This Will Be Done If the Senate Further Delays.

THE APOSTLE WON'T RESIGN

HAS NO INTENTION OF LEAVING OFFICIAL CHURCH POSITION.

I shall not resign my apostleship on account of my senatorial candidacy. I am in this race, and intend to stay. My friends have signified their intention of standing by me, and as long as they are with me, I shall not desert them. As I have said before, I do not believe that President Roosevelt intends to take a hand in a local fight—Reed Smoot to The Herald.

CALL for a caucus of Republican members of the legislature to vote on the United States senatorship question will probably be issued today. The Republican senators declined yesterday to appoint a committee on joint senatorial caucuses to confer with the committee of the house on the subject. If the senators persist in their refusal, Smoot men in both houses will sign a call, without waiting further for action on the part of the senate on the committee proposition.

A call has already been drafted, and the expectation is that it will be signed and circulated today. There are at least four Republican senators who are ready to sign it, and many more than that number in the house. The date set will probably be Wednesday evening, although it may be decided to hold the gathering before Wednesday evening.

The pronounced anti-Smoother will decline to go into a caucus, unless they change their minds. They have yet had a meeting to agree on a concerted plan of action, but it is expected that they will do so soon. The present outlook is that the house will raise opposition to refusing to go into caucus and to voting against Smoot in the legislature.

Will Keep Position in Church.

Some of the members of the legislature and others have made the suggestion to Apostle Smoot that he resign his office in the church with a view to removing one of the objections raised to his candidacy. Mr. Smoot was asked last evening if he intended to act on this suggestion. In reply, he made the statement quoted above.

Mr. Smoot read over the interview with Congressman George Sutherland, contained in a special issue of The Washington Herald. He smiled, but did not comment on it.

"It's strange how political situations will change," remarked somebody in the room.

"Yes," said Mr. Smoot, "with a thoughtful man's mind."

Smoot headquarters have been opened in rooms 441 and 442 of the Knutsford. These are nominally the quarters of Senators Reed and Smoot.

Caucus of Senators.

Smoot's senatorial ambitions were discussed informally and briefly—oh, so informally and briefly—by the Republican senators in caucus yesterday afternoon. No sooner was the subject brought up than it was dismissed without action of any kind having been taken.

When the idea of appointing a senatorial caucus committee was mentioned, the sentiment was almost unanimous that there was no need for hurry. The caucus, after having disposed of minor matters in connection with the seating arrangements in the senate chamber, then adjourned subject to the call of Senator Smoot, leaving the matter "taken."

The subject of a caucus on the United States senatorship was mentioned incidentally," said Chairman Reed, "and the subject was dropped. The caucus, which was held behind closed doors. No action of any kind was taken. The subject was dropped, and very little was said about it. Almost nothing was said, I might say. The senators failed to see there was any necessity for undue haste in the matter."

Senator Hoyt Sherman smiled when questioned as to the caucus. "The senate is a dignified body," he said gravely, "and proceeds in a dignified manner. The appearance of a hurry would detract from the senatorial dignity."

Still wearing that mysterious smile, he lightly stepped away.

Loose Declined to Talk.

Senator Loe, who is Reed Smoot's manager, was exceedingly uncommunicative when questioned as to whether the seeming policy of delay was due to his effect on the prospects of his candidate.

"No action of any kind was taken, and the subject was dropped before the caucus," was all he would vouchsafe.

None of the senators would divulge who it was that brought up the subject in the caucus or what was done to that person when the delicate subject was broached. All pleaded the session was secret and that they were bound to reveal nothing.

Apostle Smoot proved his ability as a pedestrian yesterday by making quick time toward the granite building where the legislature was about to meet. He arrived at the building shortly before noon and at once busied himself talking with senators and representatives in the corridors. The apostle left the building when the legislators went to their respective halls to be sworn in.

Democrats Had Caucus, Too.

While the Republican senators were caucusing in the ante-room of Mayor Thompson's office, the six Democratic members of the upper house busied themselves similarly in the mayor's private office.

"We are organizing a machine by means of which we Democrats can defeat the legislature," announced Senator Bamberger facetiously when questioned as to what his party's aim was intended to do. All eyes were turned to him as he was the distribution of the places to be given the Democrats on the senate committees.

The senators decided to have each member submit his wishes to Senator Murdoch, who is the minority leader of the upper house by virtue of his nomination for president of the senate. Senator Murdoch then will frame up a list of requests based upon the views of the senators and submit it to President Allison. As is customary in such cases, it is expected that President Allison will adopt the suggestions of the minority leader.